

County Council Of Howard County, Maryland

2008 Legislative Session

Legislative Day No. **5**

Resolution No. 40-2008

Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that certain real property comprising approximately 24.5 acres owned by Howard County, Maryland and located along Rogers Avenue in Ellicott City, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to sell the property; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to sell the property if he finds that it may have a further public use and submits his finding to the County Council for its consideration.

Introduced and read first time _____, 2008.

By order _____
Sheila M. Tolliver, Administrator

Read for a second time at a public hearing on _____, 2008.

By order _____
Sheila M. Tolliver, Administrator

This Resolution was read the third time and was Adopted____, Adopted with amendments____, Failed____, Withdrawn____, by the County Council
on _____, 2008.

Certified By _____
Sheila M. Tolliver, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1 **WHEREAS**, the County is the owner of real property located along Rogers Avenue in
2 Ellicott City, Maryland comprising approximately 24.5 acres (the “Property”, as shown in the
3 attached Exhibit A), being the property acquired by deed dated August 20, 2002 from Forty-
4 Twenty-Nine Associates Limited Partnership and recorded among the Land Records of Howard
5 County, Maryland in Liber 6485, Folio 0277 and by deed dated April 14, 2000 from Forty-
6 Twenty-Nine Associates Limited Partnership and recorded among the Land Records of Howard
7 County, Maryland in Liber 5071, Folio 128; and

8
9 **WHEREAS**, in order to offset some of the costs associated with the construction of
10 Capital Project C-0282, Government Service Campus, the County has decided to sell the
11 Property which is no longer needed for a public purpose; and

12
13 **WHEREAS**, the County intends to enter into an agreement with a real estate consultant
14 for the purpose of marketing and selling the Property; and

15
16 **WHEREAS**, Section 4.201 “Disposition of real property” of the Howard County Code
17 authorizes the County Council to declare that property is no longer needed for public purposes
18 and authorizes the County Council to waive advertising and bidding requirements for an
19 individual conveyance of property upon the request of the County Executive and after a public
20 hearing that has been duly advertised; and

21
22 **WHEREAS**, the County Council has received a request from the County Executive to
23 waive the advertising and bidding requirements in this instance for the sale of the Property
24 pursuant to the marketing program initiated by the real estate consultant retained by the County.

25
26 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
27 Maryland, this ____ day of _____, 2008, that the Property is no longer needed
28 by the County for public purposes.

29
30 **AND BE IT FURTHER RESOLVED** that having received a request from the County
31 Executive and having held a public hearing that was duly advertised, the County Council

1 declares that the best interest of the County will be served by authorizing the County Executive
2 to waive the usual advertising and bidding requirements of Section 4.201 of the Howard County
3 Code for the sale of the Property and to sell the Property pursuant to the marketing program
4 initiated by the real estate consultant retained by the County.
5

6 **AND BE IT FURTHER RESOLVED**, that the County Council hereby urges the
7 County Executive to ensure, in the manner that he considers to be in the best interest of the
8 County, that the road contemplated by Capital Project J4225 will be built.
9

10 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the
11 Property may have a further public use and that the property interest should not be terminated, he
12 may submit his findings and recommendations to the County Council for its consideration
13 without being bound to sell the Property in accordance with this Resolution.